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SOME FEW

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OBSERVATIONS

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BY THE

COMMITTEE of ESTATES

OF

PARLIAMENT,

UPON THE

DECLARATION

OF THE

GENERAL ASSEMBLY

Of the last of *July*.

EDINBURGH,

Printed by *Evan Tyler*, Printer to the Kings most Excellent Majestie. 1648.

EDINBURGH, 10. *August*, 1648.

THE Committee of Estates Ordains and Commands this Paper of their Observations upon the Declaration of the Generall Assembly to be printed and published: And do seriously recommend to, and require the Committees of War in the severall Shires, and the Magistrates within Burgh to take exact course, that with all diligence, after it come to their hands, it may be read upon the Lords Day at the Parish Kirk doors, in the hearing of the Parishoners: And that some of each Committee and Magistrates be appointed to see it done: And published at all other places needfull, within their severall Bounds and Jurisdictions.

ARCH. PRIMEROSE.

Some few OBSERVATIONS made by the Committee of Estates of Parliament:

Upon the DECLARATION *of the Generall Assembly of the last of* June, 1648.

ALbeit the Offers of the Committee of Estates, for securing of Religion, hath not been accepted by the Generall Assembly (at the suggestion of some dis-affected Persons) Yet the Committee Resolves never to leave Persuing of their Duties, for Preserving the same according to the Solemn League and

Covenant. But least by their silence they should seem to be satisfyed with the Papers presented to them by the Assembly the last day of *July*, Entituled, A DECLARATION, &c. of the 21. of *July*. They thought fit to return for the present a very few short OBSERVATIONS thereupon, Intending to emit a large Narrative of the Reasons and necessities of the present Engagement of this Kingdom in a War against the Sectaries in *England*, wherein, as they will Vindicate themselves from encroaching in any sort upon the Liberties of the Kirk, So they resolve to assert and maintain the just power of the Civil Magistrate against all usurpation whatsoever: All the Arguments brought to prove the Sinfulnesse and Unlawfulnesse of this Engagement, are reduced in the Assemblies Declaration to four Classes. 1. *From these places of holy Scripture, wherein the Wars of Gods people are called VVars of the Lord, and that all things should be done to the Glory of God.* 2. *From these places, which discharge Association with the* Canaanites, *Idolaters, and wicked men.* 3. *From these places, wherein we have the example of the people of God seeking reparation by Treaty, before they engaged in a War.* 4. *From these places wherein Breach of Covenant is condemned for a great Sinne procuring Nationall Judgements.*

To the first we Answer, by acknowledging and beleeving that all the Wars of the People of God, should be the Wars of God, undertaken at the Command of these who have lawfull authority under God, as were the Wars by the command of *Moses*, *Joshua*, the *Judges* and Kings of *Judah*, And as undertaken by warrant from Gods Vicegerents, So for an honest Cause, for the glory of God; But where as it is assumed

med that this Engagement is not such, we deny it, Because it hath the warrant of lawfull Authority, The Estates of Parliament, And the Cause being honest to do a Duty commanded of God to our Prince, God is glorified by doing that Duty, The releeving of our King out of Prison, is a duty, *John* 18. 36. *If my Kingdom*, sayes our Lord, *were of this World, then would my Servants fight that I should not be delivered to the* Jews. Our Lord suppones it was a common Dutie, that Subjects should fight to preveen the captivity of their King, And if a Warre be lawfull to preveen captivity, Is it not lawfull to deliver him from that base captivity, are we lesse obliged in dutie to our Native Prince, then *Abraham* to his kinsman *Lot?* who engaged in a Warre for rescuing him, notwithstanding *Lot* had associated himself in Warre with wicked men, The *Sodomites*, *Gen.* 14.? Are we lesse obliged then *David* and his associates to their captive wives, who engaged in Warre for their freedom, 1. *Sam.* 30.?

As for the duty of honour, for performance whereof we have engaged our selves; We beleeve it is a dutie commanded by God himself in the fifth Command, *Pro.* 24. 22. 1. Ep. *Pet.* 2. 16. 17. We are forbidden to use our Christian liberty as a Clock to maliciousnesse, for withholding or withdrawing Dutie. Yea *Pagans* by the light of Nature, reading the law of Nature, which is from the God of Nature, do use all honour to their Kings, Yea, holy *Samuel* undoubtedly zealous of Gods Honour, notwithstanding he knew certainly by Divine Revelation, that God had rejected *Saul*, yet honoured him before the People, 1. *Sam.* 15. 30. 31.

To the second Classe of Arguments, against associations with Malignants, We answer, 1. These places wherein association with the *Canaanites* is forbidden, proves not the point, for they were destinated to destruction, *Deut.* 7. 2. that Gods People, might have that Countrey promised of old for their peculiar habitation: We hope none pretend such a warrant, for destroying all who differ in Religion from them, That they alone may dwell in the Land, or if any be of that judgement, Let him speak it out in time. 2. It would be considered, that confidence and trust in these worldly helps are forbidden; Did not the Generally Assembly in the year 1585. supplicate King *James* of happy Memory (as is mentioned in the Assembly 1642) to command his Ambassador, then going to *England*, to deal with the Queen, that there might be a bond of Union betwixt them and other Christian Princes professing the true Religion, for the defence thereof, against the persecution of Papists joyned in League, by the bloody Decree of *Trent*: And who doubts but many of these protestant Princes were *Lutherians*; Did our fathers wrong in taking help from *England* then under Prelates, and using the Service Book, To withstand the French Persecution? 3. There is a great difference in joyning with Strangers, Idolaters, as the Kings of *Judah* sometimes did, And Subjects obliged in a common Dutie living under one King. 4. We declare (as may be seen in our Declaration To this Kingdom, and in our Answer to the Petitions of Presbyteries and Synods) that we will associate with none, but such as will engage themselves, to be faithfull in the Ends of the Covenant, and who do so cannot

not be reputed Malignants, that is, Popish and Prelaticall, unlesse they be false Hypocrites: And if at any time they manifest their falshood by their works, in obstructing or opposing the Ends of the Covenant, we have declared that through Gods assistance we shall do our uttermost endeavours to suppresse them.

To the third, because there hath been no Treaty, That is denied, Because our Commissioners did for a long time represent wrongs, and seek reparation, as is mentioned in their Papers given into the Parliament of *England*, and approven in this Parliament, also a Messenger with our just and necessary Demands, was sent to the Houses in *April* last; yet, by the prevalency of Sectaries, no satisfaction is returned thereunto.

To the fourth Classe of Arguments, taken from the Breach of Covenant, We grant that breach of Covenant is a great sin, and pains needs not be taken for proving that which none denies; But that by this Engagement, as it is represented in our Declaration, The Covenant is broken in all the Articles thereof, Is more then can be well proven: The breach of the first Article, is instanced by an induction of three particulars, quarrelling the doctrine of Ministers, the disorders committed by the Souldiery in time of Divine Worship, and the not answering the Petitions of Presbyteries and Synods; Therefore we maintain, not the Doctrine, Worship and Government of the Church.

To the 1. Instance, we answer, neither Parliament nor Committee of Estates hath quarrelled any Ministers doctrine, and though they should quarrel any in an orderly way for seditious doctrine, were it any breach of Covenant? for we are not bound to maintain any such

ſuch doctrine, but rather to cenſure according to ſeveral Laws of this Kingdom the Abetters thereof, as diſturbers of the publique peace? Some Miniſters have been conveened before us, and challenged for ſeditious practiſes, if any quarrell this, we conceive they break Covenant, which bindes them to maintain, and not to quarrell the undoubted Priviledges of Parliament, to judge by themſelves or their Deputies, all perſons in cauſes Civill, or Criminall: To that, we ſay no more, but it is, and ſhall be, our hearts deſire, that all the Miniſters of the Land may be alwayes able to ſay as *Paul*, *Act.*24 12. *They found me not raiſing up the people, neither in the Synagogue, nor in the City.*

To the ſecond inſtance, We anſwer, Diſorders in time of Divine worſhip, are not owned by us: When they are repreſented to us, and duely inſtructed to have been ſuch, we ſhall, according to juſtice cenſure them. Diſorders committed by ſome in *England*, and lately in this Kingdom, were never uſed as an Argument to prove the unlawfulneſſe of theſe engagements: And we wiſh, there had been the like ſearch in former times, who knowes, but it might have preveened inſolencies and diſorders at this time?

To the third, we anſwer, We did take pains, and uſed all lawfull means, to give ſatisfaction to their Deſires: It ſeems ſtrange to us, they ſhould be both Petitioners, and Judges of their own Petitions; Yea, ſuppoſe, That For an uncontroverted Truth, which is in queſtion, to wit, That all your deſires were juſt: If our not granting all your deſires, infer We maintain not the Government of the Church: May not we with as much reaſon, in our ſenſe, conclude, That the refuſing of the juſt

deſire

desire of the Committee of Estates, given in by the Earl of *Glencairn*, for granting us the space but of two or three dayes, to propone our just exceptions, against the proceedings of the late Commission of the Kirk, before that the Assembly should approve their proceedings; As also the refusing of that pious and lawfull desire of the Army for Ministers: May we not conclude, That this is not a course to maintain the just Authority of our Civill Government?

Wee wonder, how any can carp at the limitation to maintain Doctrine, &c. as it is established by Law, unlesse some would have us to maintain some innovations in Doctrine, Worship or Government, though not yet established by Law: It appears also not to consist with ordinary charity, to carpe at our harmlesse acknowledgement of the Kings goodnesse in establishing the Work of Reformation here; yet we say far lesse then hath been acknowledged by the Assembly 1639. in their Letter of thanks to the Kings Majestie.

To the instances of breach in their second Article of the Covenant: We answer to the first: That the desire of the Queens return can be no breach of the Covenant, unlesse the Covenant obliged us to remove the Queen, and our Covenant dissolves not the Covenant of Marriage: Withall Wee wish, there may be no greater encouragements given to Sectaries to expect their long laboured for *Toleration* then Wee have, or ever shal give either to the Popish or Prelatical party to hope for favour or connivence from us to their Idolatry and Superstition.

To the second Instance for breach of the second Article: We desire our Answer to the 1. Argument may

be repeated. 2. Doing of a neceſſary and timeous duty to our King, is a duty acceptable to God who commands it, and will be a mean bleſſed of God for enclining the Kings heart (from the ſenſe of our loyall Endeavours) to his duty for ſecuring Religion; Theſe were our old Principles according to Gods Word from the which by his Grace, We ſhall not depart; To wit, That as evil may not be done that good may come of it, So muſt we not omit neceſſary duties for fear of bad conſequents, This is in Gods hand and the other is required at our hands: As it is prefident preſumption to do evil that good may come of it; So it argues both diſobedience to, and diſtruſt of God, to omit duties for fear of conſequents. The Generall Aſſembly knows, there is a difference betwixt a conſequent in reſpect of Order of time and of cauſalitie, The Honour and Freedom given by God to our firſt *Parent* in the State of *Innocencie*: As it was not the Cauſe of his abuſe of both which followed in time; So the giving of both was free of all blame; Beſides we have declared, we will not put in his hands any ſuch Power whereby Religion or the Covenant may be endangered, 13. *pag. Declaration.*

To the branch of the third Article in the firſt inſtance, We anſwer, That breach of Priviledge of Parliament, and prejudice to the liberty of the Subject, ſhould be beſt known to Us, who are both Parliament men, and Subjects ſenſible of our own Libertie: We deſire it to be conſidered, if the Kings Majeſtie ſhould give his conſent to an Ordinance for Toleration of Errours, would not this greatly prejudice Religion? in ſuch a caſe were it not good He had a negative voice? It is well known

known That Ordinance had been past into a Law, if his Majesty had not refused it.

To the second Instance, we grant the Civill power is subordinate to the good of Religion, and it is a great sin in Kings to do otherwise, but if Kings fail in Religion, and in all things obey not Christs Ordinance, that therefore their Subjects are not tied to obedience in things lawfull, Is against Scripture, The practise of the Jewish Church, and the Confessions of Faith of all Reformed Churches.

To the breach of the fourth Article, We desire our Answer to the second Argument be repeated.

To the breach of the fifth Article in taking the Frontier Towns in *England*; We Answer, there being a necessitie of engagement in War, as we have shown, and having certainly understood, that a party of Sectaries, declared Enemies to Religion, King & Kingdoms, were to seize upon these Towns, the very law of Nature, that in necessity teacheth self-preservation, by laying hold on these weapons, whereof Enemies would make use for our destruction, allows it in such an exigent: As the Kingdom of *England* hath experience of our Fidelity in rendring up to them the Town of *Newcastle*, wherein we secured our selves for a time, in our first Expedition: So we intend and declare, that after Religion, King, and Kingdoms are secured from that prevalent party of Sectaries, we shall with the same fidelity, render up these Frontier Towns; what we have done consists well with the large Treaty betwixt the Kingdoms, which we intend to keep inviolable on our Parts; That Treatie was with the Kingdom of *England*, but not with Sectaries.

Whereas it is insinuated, the Parliament of *England* hath offered a Treaty, We answer, The Parliament and

Wee who are authoriſed by them are onely Judges, If their Anſwer be ſatisfactory, And the truth is, neither firſt nor laſt have they nor Wee received any ſatisfaction to the neceſſary demands of this Kingdom. Nor ſo much as a Treaty offered to Us thereupon.

To the Breach of the 6th. Article. In our aſſiſting or defending theſe that are not in the Covenant, And that wewill by this Engagement ſet our ſelves againſt faithful Covenanters in that Kingdom, who wil never Conſent that the King be brought to or neer *London* with Honour, Freedom, and Safety before he ſecure Religion. To the 1. We Anſwer as before to the ſecond Argument. And with all deſire it be conſidered, That although we be quarrelled for aſſiſting thoſe that have not taken the Covenant, yet no notice is taken ſo far as we know, in any Church Judicatory of theſe perfidious Country-men, who have gone to that Army of Sectaries under the Command of *Lambert*. To the ſecond We anſwer, We expect better things of the faithfull Covenanters in *England*, ſeeing the Parliament there in 1647. did invite the King to come to *London* with Honour, Freedom and Safety, which had been performed had they not been overawed by the Army.

To the ſecond inſtance, for Breach of the 6. Article We anſwer, We divide not from our firſt Principles, but proſecute the ſame Ends of the Covenant, Bare humane Aſſertions prove little or nothing, Wee have not withdrawn from any that adhere to publick Principles, But if any walking upon private principles have ſeparate from us, They themſelves know beſt, *they went from us becauſe they were not of us.*

Whereas

Whereas much is ſpoken anent the probabilitie of light and judgement in the greateſt part of the Miniſters condemning this Engagement as ſinfull and unlawfull, Wee Anſwer, the Argument is but humane and Popular, and not from Scripture, unleſſe your infallibilitie could be demonſtrated from the Word of God, Such an Argument, if admitted, will prove Implicite Faith, which if we ſhould give to the word of man, were indeed a Breach of our Covenant.

Let us alſo offer to your conſiderations our thought anent breach of Covenant if we had not Engaged.

I. Are Wee not bound by the 1. Article To endeavour the Reformation in Religion in the Kingdoms of *England* and *Ireland*? If we ſhould ſit ſtill and behold Sectaries defacing Religion that were far from endeavouring a Reformation there.

II. Are we not obliged by the 2d. Article To endeavour the extirpation of Schiſme and Hereſie? But to fold our hands, and ſleep in ſecurity, while the Evil One ſowes the Tares, Is this to endeavour the extirpation? No, it is to give way to the rooting and ſpreading of Errour.

III. In the 3d Artile we are obliged to maintain the Priviledges of Parliament and Liberties of the Subjects, as alſo the Kings Perſon, and juſt power in the preſervation, &c. If we ſit ſtill, Is not the Parliament overawed by an Army of Sectaries? And to do nothing, is a virtuall complying with Sectaries, and ſtrengthening of their hands; Are we not bound according to the explanation in the Aſſembly 1639. to aſſiſt and maintain in every caſe, which may concern His Ho-

nour? If we do nothing for His Honour, and Relief from that base and disgracefull Imprisonment; Are we not guilty of Breach of Covenant, and of that Duty we owe to our King by our Allegience, which is not weakened but strengthened by the Covenant, as is many times professed in our Declarations?

IIII. In the 4th. Article we are obliged to discover, and bring to triall and punishment Incendiaries, Malignants, &c. As Malignants have been punished, So, are we not bound to bring Sectaries great hinderers of the work to condigne punishment? Our Covenant binds us to endeavour for this.

V. In the 5th. We are bound to preserve the Peace betwixt the Kingdoms, and to set our selves against the wilfull oppolers thereof, either it must be avowed that the Army of Sectaries is no Enemy to the Peace of these United Kingdoms, (which we think none will professe) or it cannot be denied, but we fail, if we oppose them not by an Engagement in War, As the Church doth oppose them in their Ecclesiastick way.

VI. In the 6th. We are bound to defend all that enter into this Covenant, In the pursuing thereof, but if we should lie by, and suffer the faithfull Covenanters in *England* to be still borne down by that Army of Sectaries, Were not this a Breach of Covenant? Wee desire these things to be considered impartially, without prejudice of Self-opinions in judgement, of Self-interest in Association, which are the two motes that hinder the understanding, to discern Truth in the simplicitie thereof.

FINIS.